

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

FORREST EVANS,  
ERNESTINE HODGE, and  
RAPIDO MVD SERVICES,

Plaintiffs,

v.

No. 2:20-cv-00874-KRS

MARGARET WILLIAMS, et al.

Defendants.

**ORDER FOR AMENDED COMPLAINT**

**THIS MATTER** comes before the Court on *pro se* Plaintiffs' Response to the Court's Order to Show Cause, Doc. 9, filed October 14, 2020 ("Response").

Plaintiffs Evans and Hodge, who are employees of Plaintiff Rapido MVD Services, assert federal-law claims of discrimination based on "race, age, mental disability," "harassment," and "equal protection" pursuant to 42 U.S.C. § 1983, and state-law claims, against 22 Defendants. Complaint for Violation of Civil Rights at 3, 7, 9, Doc. 1, filed August 27, 2020 ("Complaint").

The Court explained to Plaintiffs that the Complaint failed to state federal-law claims: (i) for racial, age and disability discrimination; (ii) for equal protection violations; and (iii) against Defendants City of Hobbs and City of Lovington. *See* Doc. 4, filed September 23, 2020. The Court also explained that: (i) it appears that many of Plaintiffs' claims are barred by the statute of limitations; (ii) that the Court lacks jurisdiction over Plaintiffs' claims for monetary damages against employees of the State of New Mexico in their official capacity; and (iii) the claims asserted by Defendant Rapido MVD Services are subject to dismissal because Defendant Rapido MVD Services is not represented by an attorney.

The Court ordered Plaintiffs to either: (i) show cause why the Court should not dismiss Plaintiffs' federal-law claims for the reasons stated in the Order to Show Cause; or (ii) file an amended complaint. Plaintiffs filed a Response to the Court's Order to Show Cause but did not file an amended complaint. Plaintiffs' Response asserts that the State of New Mexico violated Plaintiffs' rights and provides some factual examples but does not show cause why the claims should not be dismissed for the reasons stated in the Court's Order to Show Cause.

**IT IS THEREFORE ORDERED** that Plaintiffs shall, within 21 days of entry of this Order, file an amended complaint. Failure to timely file an amended complaint may result in dismissal of this case.

**IT IS SO ORDERED.**

  
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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE